



05-04-04

ATTORNEY DOCKET NO.: 09564/002001
U.S. PATENT APPLICATION SERIAL NO.: 09/711,002

37125

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Minegishi YUKIO *et al.* Art Unit : 3712
Serial No.: 09/711,002 Examiner : Kurt Fernstrom
Filed : November 9, 2000 Confirmation No.: 5998
Title : INSTRUMENT FOR CONTEMPLATION

Commission for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
MAY 10 2004
TECHNOLOGY CENTER R3700

COMMUNICATION TO EXAMINER

Dear Sir:

Applicant reaffirms its claim of small entity status in connection with this application. Enclosed is a copy of the Verified Statement (Declaration) Claiming Small Entity Status (37 CFR 1.9(f) and 1/27(c)) – Small Business Concern filed with this Small Entity Utility Application on November 9, 2000.

Applicant notes that, at the time of filing its response to the second office action mailed in this case on February 4, 2003, it improperly used an Amendment Transmittal Letter for a Large Entity. However, when Applicant subsequently filed its response to the Final Office Action on July 15, 2003, the proper Amendment Transmittal Letter for a Small Entity was used.

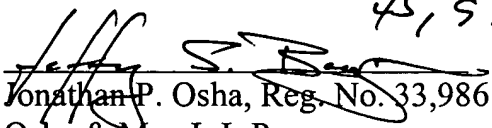
On August 12, 2003, an RCE was filed in this case. At that time, Applicant erroneously paid the fees for a Large Entity. Applicant now reaffirms its original claim of small entity status in connection with this application.

No petition is believed necessary. If this belief is incorrect, or if other issues

arise, please do not hesitate to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09564.002001).

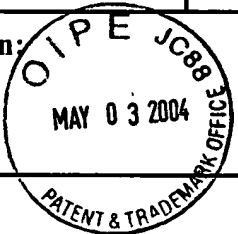

Respectfully submitted,

Date: 5/3/04

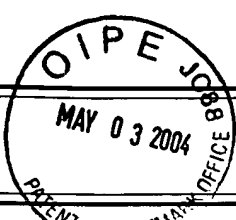

Jonathan P. Osha, Reg. No. 33,986
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1221 McKinney, Suite 2800
Houston, TX 77010
Telephone: (713) 228-8600
Facsimile: (713) 228-8778

66658_1.DOC

AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. 09564.002001	
Applicant(s): Minegishi YUKIO et al.					
Serial No. 09/711,002	MAY 13 2004 Filing Date November 9, 2000	Examiner Kurt Fernstrom	Group Art Unit 3712		
Invention: INSTRUMENT FOR CONTEMPLATION					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.					
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	20 -	20 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	2 -	4 =	0 x	\$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____					
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0591					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
Jonathan P. Osha, Reg. No. 33,986 OSHA & MAY L.L.P. 1221 McKinney St., Suite 2800 Houston, TX 77010 Tel: (713) 228-8600 Fax: (713) 228-8778			<div style="text-align: right;"> 45,925 Signature Jonathan P. Osha </div> <div style="text-align: right;"> Dated: May 3, 2004 </div>		
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> RECEIVED MAY 10 2004 TECHNOLOGY CENTER #3712 </div>					
I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					
Signature of Person Mailing Correspondence					
Typed or Printed Name of Person Mailing Correspondence					
CC:					

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Minegishi YUKIO et al.			Docket No. 09564.002001
Serial No. 09/711,002	Filing Date November 9, 2000	Examiner Kurt Fernstrom	Group Art Unit 3712
Invention:  INSTRUMENT FOR CONTEMPLATION			
<p>I hereby certify that this <u>Change of Firm Name and Associate Power of Attorney</u> <i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 in an envelope addressed to:</p> <p style="text-align: center;">Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p style="text-align: right;">on <u>May 3, 2004</u> <i>(Date)</i></p> <p style="text-align: right;"><u>Lisa H. Smith</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <p style="text-align: right;"> <i>(Signature of Person Mailing Correspondence)</i></p> <p style="text-align: right;"><u>EV 436028885 US</u> <i>("Express Mail" Mailing Label Number)</i></p>			
<p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

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TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
09564.002001

In Re Application Of: **Minegishi YUKIO et al.**

Serial No.
09/711,002

Filing Date
November 9, 2000

Examiner
Kurt Fernstrom

Group Art Unit
3712

Title: **INSTRUMENT FOR CONTEMPLATION**

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Change of Firm Name and Associate Power of Attorney (1 pg.)

Communication to Examiner (2 pgs) with copy of Small Entity Declaration filed November 9, 2000 (2 pgs)

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-0591** as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.


Signature

Jonathan P. Osha, Reg. No. 33,986
OSHA & MAY L.L.P.
1221 McKinney St., Suite 2800
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Tel: (713) 228-8600
Fax: (713) 228-8778

Dated: **5/3/04**

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC: